

H.B. 415

LOCAL LAW ENFORCEMENT STRUCTURE AND GOVERNANCE AMENDMENTS

SENATE COMMITTEE AMENDMENTS

AMENDMENT 3

MARCH 7, 2019 10:53 AM

Senator **Don L. Ipson** proposes the following amendments:

1. *Page 1, Lines 10 through 11:*

10 This bill prohibits a municipality {~~or county~~} from establishing a board or committee with
11 certain powers over a police chief {~~or county sheriff~~} .

2. *Page 1, Lines 14 through 17:*

14 ▶ prohibits a municipality from establishing a board or committee with certain powers
15 over a police chief {~~or county sheriff~~} ;
16 ▶ establishes limitations on a municipality's {~~or county's~~} power to establish a board or
17 committee that relates to the provision of law enforcement services; and

3. *Page 2, Line 28:*

28 {~~17-22-31, as enacted by Laws of Utah 2014, Chapter 333~~}

4. *Page 3, Line 70:*

70 (ii) prohibits the municipal council or {~~mayor~~} chief executive officer from taking a lawful
 action described in

5. *Page 4, Lines 92 through 114:*

92 {~~Section 4. Section 17-22-31 is amended to read:~~
93 ~~17-22-31. Sheriff -- Primary law enforcement authority -- Oversight.~~
94 ~~(1) The sheriff is the primary law enforcement authority of state law on federal land~~
95 ~~except as otherwise assigned by law to the authority of a state or municipal law enforcement~~
96 ~~agency.~~
97 ~~(2) (a) A county may not establish a board, committee, or other entity that:~~
98 ~~(i) has authority independent of the county sheriff; and~~
99 ~~(ii) (A) has authority to veto or overrule a hiring or appointment decision of the county~~
100 ~~sheriff;~~
101 ~~(B) is required to review or approve a sheriff's office rules, regulations, policies, or~~
102 ~~procedures in order for the rules, regulations, policies, or procedures to take effect;~~
103 ~~(C) has authority to veto a new policy, or strike down an existing policy, established~~
104 ~~under the authority of a county sheriff;~~

105 ~~—— (D) is required to review or approve a county sheriff's budget in order for the budget to~~
106 ~~take effect; or~~
107 ~~—— (E) has authority to review or approve a contract the county sheriff makes with a police~~
108 ~~union or other organization in order for the contract to take effect.~~
109 ~~—— (b) Nothing in this Subsection (2):~~
110 ~~—— (i) limits a county legislative body's authority to take an action that is otherwise~~
111 ~~authorized under this title;~~
112 ~~—— (ii) prohibits the county legislative body from taking an action described in Subsection~~
113 ~~(2)(a) that the county legislative body may legally take; or~~
114 ~~—— (iii) limits county's authority under Subsection (3). }~~